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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

INDICTMENT

Plaintiff,

18 U.S.C. § 922(a)(1)(A)

18 U.S.C. § 924(a)(1)(D)

v.

18 U.S.C. § 924(d)(1)

28 U.S.C. § 2461(c)

WAYNE ROBERT DANIELSON,

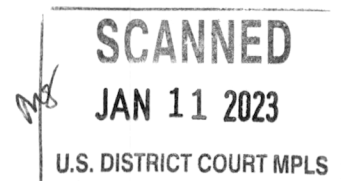
Defendant

THE UNITED STATES GRAND JURY CHARGES THAT:

INTRODUCTORY ALLEGATIONS

1. Federal law requires persons engaged in the business of dealing in firearms to be licensed under the provisions of Title 18, Chapter 44, United States Code. Federal law further requires that, prior to selling firearms to unlicensed persons, licensed dealers in firearms, also known as Federal Firearms Licensees (“FFLs”), must determine the lawfulness of the sale, maintain proper records of the transaction, and contact the National Instant Criminal Background Check System to determine whether the prospective buyer of the firearm is prohibited by law from purchasing or receiving firearms.

2. As part of these federal law requirements, before an FFL may lawfully sell a firearm to an unlicensed person, the unlicensed person must fill out, date, and sign a Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473 – Firearms Transaction Record (“ATF Form 4473”), certifying that all the information provided is “true, correct, and complete.” The information and certification statutorily required



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by ATF Form 4473 enables FFLs to determine if a firearm may lawfully be sold or transferred to a prospective buyer and puts the prospective buyer on notice of certain legal restrictions on the receipt and possession of firearms.

3. ATF Form 4473 requires the prospective buyer of a firearm, by signing and dating the form, to certify and acknowledge the following statements and advisories, which are printed in bold type: “I certify that my answers . . . are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I . . . understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of Federal law.”

4. One of the Notices, Instructions, and Definitions that the ATF Form 4473 requires the prospective buyer to read is “Question 22. Transferee/Buyer Certification” contained on page 5 of the form. Question 22 references the signature field where the transferee/buyer certifies their truthfulness and understanding of the information above the signature. The “Question 22. Transferee/Buyer Certification” notice states that “it is unlawful for a person to engage in the business of dealing in firearms without a license,” and it explains and provides the Federal statutory provisions of when a “person is engaged in the business of dealing in firearms.”

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5. At times material to this Indictment, the defendant, **WAYNE ROBERT DANIELSON**, was not a licensed dealer in firearms within the meaning of Title 18, Chapter 44, United States Code.

6. From at least in or about May 2019, and continuing through in or about September 2022, the defendant engaged in a regular pattern and practice of purchasing and reselling firearms predominantly to earn a profit.

7. During this same period, the defendant purchased at least 38 firearms at three different FFLs within the District of Minnesota.

8. Among the firearms the defendant purchased were the following:

Date (on or about)	FFL	Firearm
5/12/2019	L&M Virginia	Ruger LCP 380 Auto, serial number 372-208269
5/12/2019	L&M Virginia	SCCY CPX2 9, serial number 798919
7/30/2019	L&M Virginia	Keltec PMR-30 22, serial number WXB580
11/20/2019	L&M Virginia	S&W MP 40 Shield 40, serial number HZF6388
12/1/2019	L&M Virginia	SCCY CPX2 9, serial number 796639
2/28/2020	L&M Virginia	Hi-Point 1095 TS 10, serial number M05543
2/28/2020	L&M Virginia	Marlin 60SN 22, serial number MM15761L
2/28/2020	L&M Virginia	Ruger LCP 380, serial number 372-220144
3/18/2020	L&M Virginia	Hi-Point 45HC 45, serial number X4323235
4/15/2020	L&M Virginia	Keltec CP33 22, serial number M2655
4/30/2020	L&M Virginia	S&W MP 380 Shield EZ 380, serial number NDP7978
6/25/2020	L&M Virginia	Bond Arms Rough N Rowdy 5/410, serial number 216849
6/25/2020	L&M Virginia	SCCY CPX2 9, serial number 708828
3/9/2021	L&M Virginia	Taurus G2C 9, serial number ACA486095
3/9/2021	L&M Virginia	Uberty 357 357, serial number 1873 UL7864
4/1/2021	L&M Virginia	Derya Arms RIA Tradition 20, serial number R255935
4/10/2021	L&M Virginia	S&W MP 40 Shield 40, serial number JHS4951
4/20/2021	L&M Virginia	Mossberg Patriot 6.5, serial number MPR0279603
4/20/2021	L&M Virginia	Taurus G2C 9, serial number 1C024313

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Date (on or about)	FFL	Firearm
5/11/2021	L&M Virginia	Derya Arms RIA Tradition12, serial number R097025
5/11/2021	L&M Virginia	Ruger LCP 380, serial number 372-422519
7/1/2021	L&M Virginia	Taurus G2C 9, serial number ACA424956
7/15/2021	L&M Virginia	Glock G44 22, serial number AFGG483
7/22/2021	L&M Virginia	Keltec SUB-2000 9, serial number FG46
7/22/2021	L&M Virginia	Ruger EC9S 9, serial number 459-60282
8/4/2021	L&M Virginia	Taurus G3C 9, serial number ACG996376
8/10/2021	L&M Virginia	Ruger Security 9 9, serial number 384-50666
8/19/2021	L&M Virginia	Ruger LCP 380, serial number 379-006005
10/15/2021	L&M Virginia	Taurus G2C 9, serial number ACK344993
10/29/2021	L&M Virginia	Bond Arms Roughneck 357/38, serial number 301535
10/29/2021	Dunhams Virginia	Ruger EC9S 9, serial number 459-21708
12/1/2021	Dunhams Virginia	Springfield Hellcat 9, serial number BA512382
12/1/2021	Dunhams Virginia	Taurus Spectrum 380, serial number 1J011288
12/6/2021	Dunhams Virginia	S&W MP 380 Shield EZ 380, serial number REP3088
1/14/2022	Dunhams Virginia	Taurus G2C 9, serial number ACK344995
3/1/2022	L&M Virginia	Kimber R7/Mako 9, serial number R08431
4/25/2022	L&M Virginia	Bond Arms Roughneck 357/38, serial number 301666
7/8/2022	Dunhams Virginia	Tisas/SDS 1911A1 service 45, serial number TO6020-22Z05231

9. For each transaction completed at the different FFLs within the District of Minnesota, the defendant filled out, dated, and signed an ATF Form 4473, certifying that all the information he provided was “true, correct, and complete,” including that he “understood that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license in a violation of Federal law.”

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COUNT 1

(Dealing in Firearms Without a License)

10. Paragraphs 1 through 9 are re-alleged as if set forth herein.

11. In or about May 2022 in the State and District of Minnesota, the defendant, in the State and District of Minnesota, the defendant,

WAYNE ROBERT DANIELSON,

willfully engaged in the business of dealing in firearms without a license, by devoting time, attention, and labor to dealing in firearms as a regular course of trade and business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms; all in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT 2

(Dealing in Firearms Without a License)

12. Paragraphs 1 through 9 are re-alleged as if set forth herein.

13. On or about September 5, 2022, in the State and District of Minnesota, the defendant, in the State and District of Minnesota, the defendant,

WAYNE ROBERT DANIELSON,

willfully engaged in the business of dealing in firearms without a license, by devoting time, attention, and labor to dealing in firearms as a regular course of trade and business to predominantly earn a profit through the repetitive purchase and resale of firearms; all in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

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FORFEITURE ALLEGATIONS

If convicted of Count 1 or 2 of this Indictment, the defendant,

WAYNE ROBERT DANIELSON,

shall forfeit to the United States any firearms, ammunition, magazines, and accessories, involved in or used in connection with such violation including, but not limited to the 14 firearms seized from the defendant's home on September 14, 2022, and any ammunition seized therewith:

1. Hatfield SGL 12-gauge shotgun (S/N: 12520-006543)
2. Keltec PMR30 .22 WMR (S/N: WXB723)
3. SCCY CPX-2 9mm (S/N: C203360)
4. Taurus G3C 9mm (S/N: ACD834892)
5. Taurus Spectrum 380 caliber (S/N: 1J024856)
6. Keltec P17 .22 caliber (S/N: G9486)
7. Ruger LC9 9mm (S/N: 323-91217)
8. Taurus Revolver .357 caliber (S/N: ADC131731)
9. Tisas 1911 (S/N: T0620-22Z05231)
10. Glock 20 Gen 4 10mm (S/N: BXAA303)
11. Mossberg Plinkster .22 caliber (S/N: E014136273)
12. Escort Slugger 12 gauge (S/N: 70-H21PT-006839)
13. Smith and Wesson M&P Shield (S/N: JH54951)
14. Hi-Point model 4595 .45 caliber (S/N: R117598)

all pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

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A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON